

TSCA INSPECTION, CASE, ENFORCEMENT, AND REFERRAL RECORD

INSPECTION:

INSPECTION DATE: 05 / 01 / 2000 FTTS ENTRY DATE: 6 / 26 / 00 INITIALS: WEP
INSPECTOR NUMBER: 16131 INSPECTOR NAME: EILEEN HILEMAN INSPECT SEQ: 1 2 3
LEGISLATION: I INVESTIGATION TYPE: 131 2XP 4CI 5CI 6PF 6PS 7CI 8CI REGION/STATE: 10 /
REASON FOR INSPECTION: NSR / REFERRAL TYPE: FILE NUMBER:
DATE REPORT REC'D: / / WARRANT REC'D: Y / N NUMBER SAMPLES: 0 / CBI: Y / N
FACILITY FUNCTION: PD MN US / PRODUCT REG #: FEDERAL FACILITY: Y / N
EPA ESTAB #: PRODUCT REG #: FEDERAL FACILITY: Y / N
REMARKS:
SITE NAME: SHAW MIDDLE SCHOOL
SITE ADDRESS: 4106 NORTH COOK STREET
SITE CITY: SPOKANE SITE STATE: WA SITE ZIP: 99007 - 5892
SITE COUNTY: (IF CITY = PORTLAND) SITE COUNTY CODE: 063
SITE DUNNS: SIC CODE:
PARENT NAME: (SAME AS ABOVE OR):
PARENT ADDRESS/CITY/ZIP:

REVIEW DUE: / / STATUS: ACTIVE / CLOSED

CASE REVIEW:

FTTS ENTRY DATE: 6 / 26 / 00 INITIALS: WEP
CASE REVIEW OFFICER: DD STUFF:
REVIEW START: / / REVIEW COMPLETE: / / REVIEW PRELIM: / /
ACTION WARRANTED: Yes / No VIOL CODE(S): 13A 5GR 6PR 8RR

ACTION/ENFORCEMENT:

FTTS ENTRY DATE: / / INITIALS:
DOCKET NUM: CASE NUM:
ACTION TYPE: ACTION STATUS: Active / Closed
CASE DEVLMT OFFICER: EPA ATTY:
PROPOSED PENALTY: \$ FINAL PENALTY: \$ ABATEMENT AMT: \$
REGS VIOLATED: REMARKS:
DATE TO ORC: / / DATE ISSUED: / / RESPONSE DUE: / / RESPONSE REC'D: / /
DATE CLOSED: / / CAFO MAILED: / / CAFO RESP DUE: / / THEY SIGN: / /
EPA SIGN: / /

SETTLEMENT CONDITIONS:

| TERMS: | DATE DUE | DATE REC'D.. | EBE (T/F) | PREV CODE | COST TO COMPANY | AMOUNT MITIGATED |
|--------|----------|--------------|-----------|-----------|-----------------|------------------|
| 1. | / / | / / | | | | |
| 2. | / / | / / | | | | |
| 3. | / / | / / | | | | |
| 4. | / / | / / | | | | |
| 5. | / / | / / | | | | |
| 6. | / / | / / | | | | |
| 7. | / / | / / | | | | |
| 8. | / / | / / | | | | |
| 9. | / / | / / | | | | |
| 10. | / / | / / | | | | |

REFERRAL:

FTTS ENTRY DATE: / / INITIALS:
REQUEST DATE: / / REFERRAL DATE: / / REFERRAL TYPE: ORIGIN:
REFERRAL SEQ: DESTINATION: REFERRED BY:
POSSIBLE VIOLATIONS: RESPONSE FROM REFERRAL: / /
FURTHER ACTION (Y/N) / TYPE:
SAMPLES REC'D.: Y / N ENFORCEMENT ISSUED: / / ENFORCEMENT TYPE: Major / Minor DATE CLOSED: / /
REMARKS:

**TSCA PCB INSPECTION
SPOKANE SCHOOL DISTRICT
SHAW MIDDLE SCHOOL
SPOKANE, WASHINGTON**

FACILITY: Shaw Middle School
4106 North Cook Street
Spokane, Washington 99007-5892

FACILITY CONTACT: Becky Holt, Principal
Phone: (509) 354-5800
Fax: (509) 354-5899

DATE OF INSPECTION: May 1, 2000

DATE OF REPORT: May 1, 2000

BACKGROUND

This inspection was a follow-up inspection to the initial TSCA PCB inspection conducted in March 2000. The purpose of the inspection was to resample areas previously inspected and to look at other areas within the school that were not available for inspection during the March inspection.

ENTRY AND FILE REVIEW

At the request of the Spokane School District, Inspectors Eileen Hileman and Bruce Long met with District officials, Joe Madsen and John Mannix at District Headquarters prior to beginning the inspections. We entered the District Offices at 2:00 p.m and presented our credentials. The inspectors went over the scope of the weeks inspections with District Officials. We were joined by Jeff McCartney and Dick Dolan, District Custodians, who would be accompanying us during the week of inspections. Mr. Madsen noted that the staff at the first three schools (Rogers High School, Glover Middle School and Shaw Middle School) we intended to sample had left for the day and would not return until the following morning. It was decided that the Notices of Inspection and Confidentiality would be signed by Mr. Madsen for those schools so that sampling could begin immediately. The Notices for Shaw Middle School are appended to this inspection report as Attachment I.

FACILITY INSPECTION

Inspectors Hileman and Long entered the school with Mr. McCartney and Mr. Dolan at 5:30 p.m.. We proceeded to the hallway outside room 151. We examined a fluorescent fixture outside room 151 (photograph 1). The ballast contained a non-PCB capacitor. However, there was a dry tar like substance sprayed within the fixture. Mr. Long donned protective gloves and safety glasses and sampled the substance. Sample 00184166 was taken at 17:45 p.m.

We then examined a recessed fluorescent fixture outside room 152 (photograph 2). The

capacitor was a Sylvania Quicktronic non-PCB capacitor. There was a tar like substance on the interior cover of the light ballast (photograph 3). Mr. Long donned protective gloves and safety glasses and obtained a sample. Sample 00184167 was taken at 17:55 p.m. Photograph 4 shows a close up of a capacitor wire in the tar like substance.

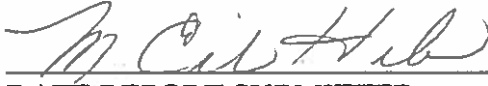
We examined Row 2 bank 3 and Row 4, bank 1 in the Kitchen. Both contained intact and non-leaking non-PCB capacitors.

OUT BRIEFING

Ms. Hileman contacted Mr. Joe Madsen and informed him of the team's findings. The team then left school premises.

ATTACHMENTS

1. TSCA Inspection and Confidentiality Notices
2. Photographs


DATE REPORT SUBMITTED
5-11-00

INSPECTOR'S SIGNATURE

ATT. I



United States Environmental Protection Agency
Washington, D.C. 20460

Toxic Substances Control Act

NOTICE OF INSPECTION

Form Approved
OMB No. 2070-0007
Approval Expires 07-31-96

The public reporting burden for this collection of information is estimated to average 5 minutes per response. This estimate includes time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information to the Chief, Information Policy Branch (PM-223), US Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked ATTENTION: Desk Officer for EPA.

| | | | | |
|--|---------------|----------------|----------------------------------|--------------------|
| 1. Investigation Identification | | | 2. Time | 3. Firm Name |
| Date | Inspector No. | Daily Seq. No. | | |
| 5-1-00 | 16131 | 002 | 2:00pm | Shaw Middle School |
| 4. Inspector Address | | | 5. Firm Address | |
| U.S. EPA RIO 1200 Sixth Ave (OE-095) Seattle, WA 98101 | | | 4106 N. Cook St. Spokane, WA. | |

REASON FOR INSPECTION

Under the authority of Section 11 of the Toxic Substances Control Act:

- ☒ For the purpose of inspecting (including taking samples, photographs, statements, and other inspection activities) an establishment, facility, or other premises in which chemical substances or mixtures or articles containing same are manufactured, processed or stored, or held before or after their distribution in commerce (including records, files, papers, processes, controls, and facilities) and any conveyance being used to transport chemical substances, mixtures, or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of the Act applicable to the chemical substances, mixtures, or articles within or associated with such premises or conveyance have been complied with.

☐ In addition, this inspection extends to (Check appropriate blocks):

- | | |
|--|--|
| <input type="checkbox"/> A. Financial data | <input type="checkbox"/> D. Personnel data |
| <input type="checkbox"/> B. Sales data | <input type="checkbox"/> E. Research data |
| <input type="checkbox"/> C. Pricing data | |

The nature and extent of inspection of such data specified in A through E above is as follows:

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

| | | | |
|--------------------------|--|-------------------------|--|
| Inspector Signature | | Recipient Signature | |
| <i>M. Eileen Hileman</i> | | <i>Joseph C. Madsen</i> | |
| Name | | Name | |
| M. Eileen Hileman | | Joseph C. Madsen | |
| Title | | Title | |
| Inspector | | Safety Director | |
| Date Signed | | Date Signed | |
| 5-1-00 | | 5-1-00 | |



United States Environmental Protection Agency
Washington, D.C. 20460
Toxic Substances Control Act

Form Approved
OMB No. 2070-0007
Approval Expires 10-31-92

TSCA INSPECTION CONFIDENTIALITY NOTICE

The public reporting burden for this collection of information is estimated to average 5 minutes per response. This estimate includes time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information to the Chief, Information Policy Branch (PM-223), US Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked ATTENTION: Desk Officer for EPA.

| | | | |
|---|------------------------|-----------------------|---|
| 1. Investigation Identification | | | 2. Firm Name |
| Date 5-1-00 | Inspector No. 16131 | Daily Seq. No. 002 | Shaw Middle School |
| 3. Inspector Name M. Eileen Hileman | | | 4. Firm Address 4106 N Cook St. Spokane, WA |
| 5. Inspector Address U.S. EPA RID 1200 Sixth Ave (DEA-D95) Seattle, WA 98101 | | | 6. Chief Executive Officer Name Dr Gary Livingston |
| | | | 7. Title Superintendent |

TO ASSERT A CONFIDENTIAL BUSINESS INFORMATION CLAIM

It is possible that EPA will receive public requests for release of the information obtained during inspection of the facility above. Such requests will be handled by EPA in accordance with provisions of the Freedom of Information Act (FOIA), 5 USC 552; EPA regulations issued thereunder, 40 CFR Part 2; and the Toxic Substances Control Act (TSCA), Section 14. EPA is required to make inspection data available in response to FOIA requests unless the Administrator of the Agency determines that the data contain information entitled to confidential treatment or may be withheld from release under other exceptions of FOIA.

Any or all the information collected by EPA during the inspection may be claimed confidential if it relates to trade secrets or commercial or financial matters that you consider to be confidential business information. If you assert a CBI claim, EPA will disclose the information only to the extent, and by means of the procedures set forth in the regulations (cited above) governing EPA's treatment of confidential business information. Among other things, the regulations require that EPA notify you in advance of publicly disclosing any information you have claimed as confidential business information.

A confidential business information (CBI) claim may be asserted at any time. You may assert a CBI claim prior to, during, or after the information is collected. The declaration form was developed by the Agency to assist you in asserting a CBI claim. If it is more convenient for you to assert a CBI claim on your own stationery or by marking the individual documents or samples "TSCA confidential business information," it is not necessary for you to use this form. The inspector will be glad to answer any questions you may have regarding the Agency's CBI procedures.

While you may claim any collected information or sample as confidential business information, such claims are unlikely to be upheld if they are challenged unless the information meets the following criteria:

1. Your company has taken measures to protect the confidentiality of the information, and it intends to continue to take such measures.

2. The information is not, and has not been, reasonably obtainable without your company's consent by other persons (other than governmental bodies) by use of legitimate means (other than discovery based on showing of special need in a judicial or quasi-judicial proceeding).
3. The information is not publicly available elsewhere.
4. Disclosure of the information would cause substantial harm to your company's competitive position.

At the completion of the inspection, you will be given a receipt for all documents, samples, and other materials collected. At that time, you may make claims that some or all of the information is confidential business information.

If you are not authorized by your company to assert a CBI claim, this notice will be sent by certified mail, along with the receipt for documents, samples, and other materials to the Chief Executive Officer of your firm within 2 days of this date. The Chief Executive Officer must return a statement specifying any information which should receive confidential treatment.

The statement from the Chief Executive Officer should be addressed to:

and mailed by registered, return-receipt requested mail within 7 calendar days of receipt of the Notice. Claims may be made any time after the inspection, but inspection data will not be entered into the special security system for TSCA confidential business information until an official confidentiality claim is made. The data will be handled under the agency's routine security system unless and until a claim is made.

TO BE COMPLETED BY FACILITY OFFICIAL RECEIVING THIS NOTICE:

I have received and read the notice.

If there is no one on the premises of the facility who is authorized to make business confidentiality claims for the firm, a copy of this Notice and other inspection materials will be sent to the company's chief executive officer. If there is another company official who should also receive this information, please designate below.

Certification

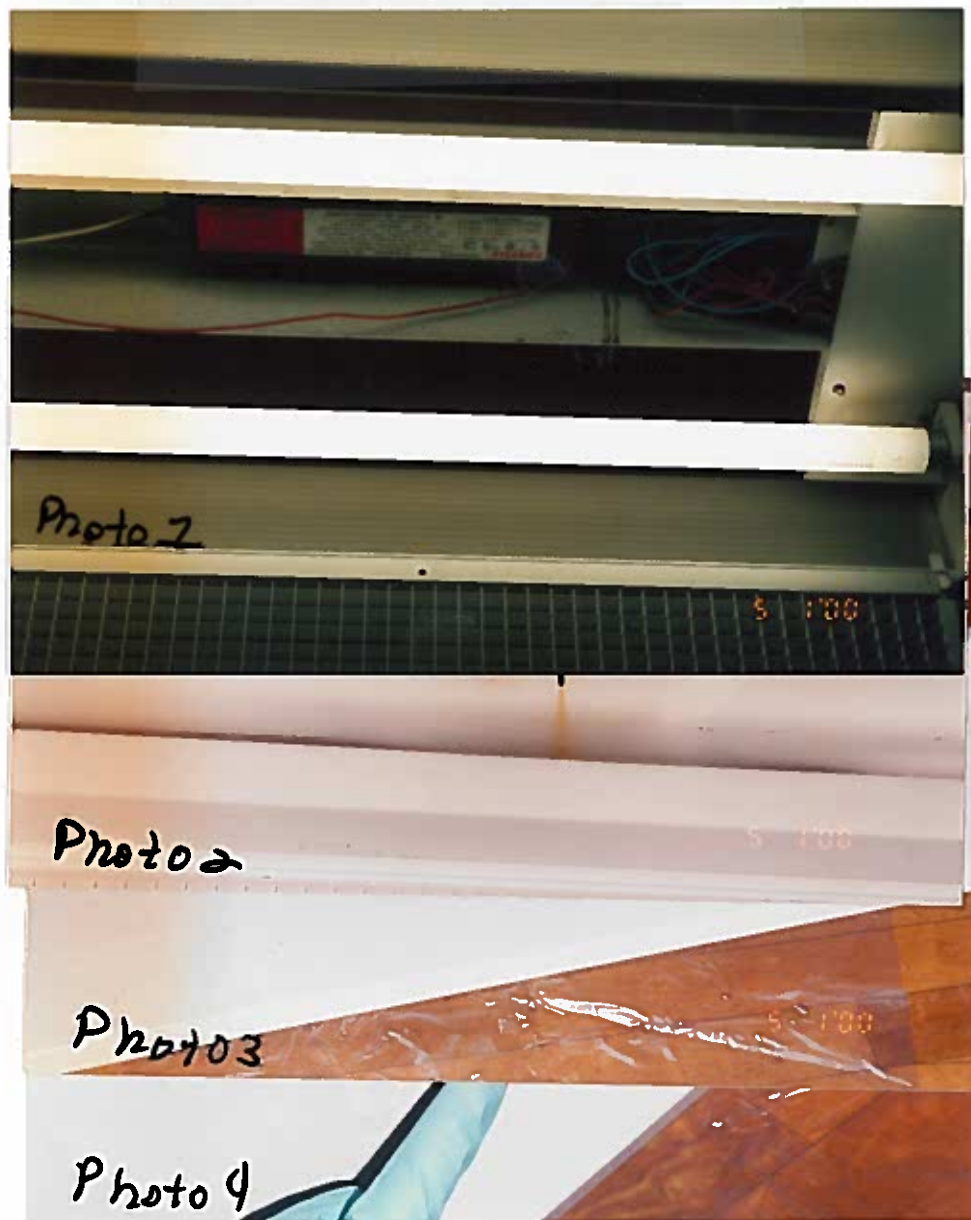
I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

| | |
|--------------------------|-----------------------|
| Signature | Name |
| Name Joseph C. Madsen | Title |
| Title Safety Director | Date Signed 5-1-00 |
| Address | |

ATT-II

**PHOTOGRAPHY LOG
SHAW MIDDLE SCHOOL
SPOKANE SCHOOL DISTRICT
SPOKANE, WASHINGTON**

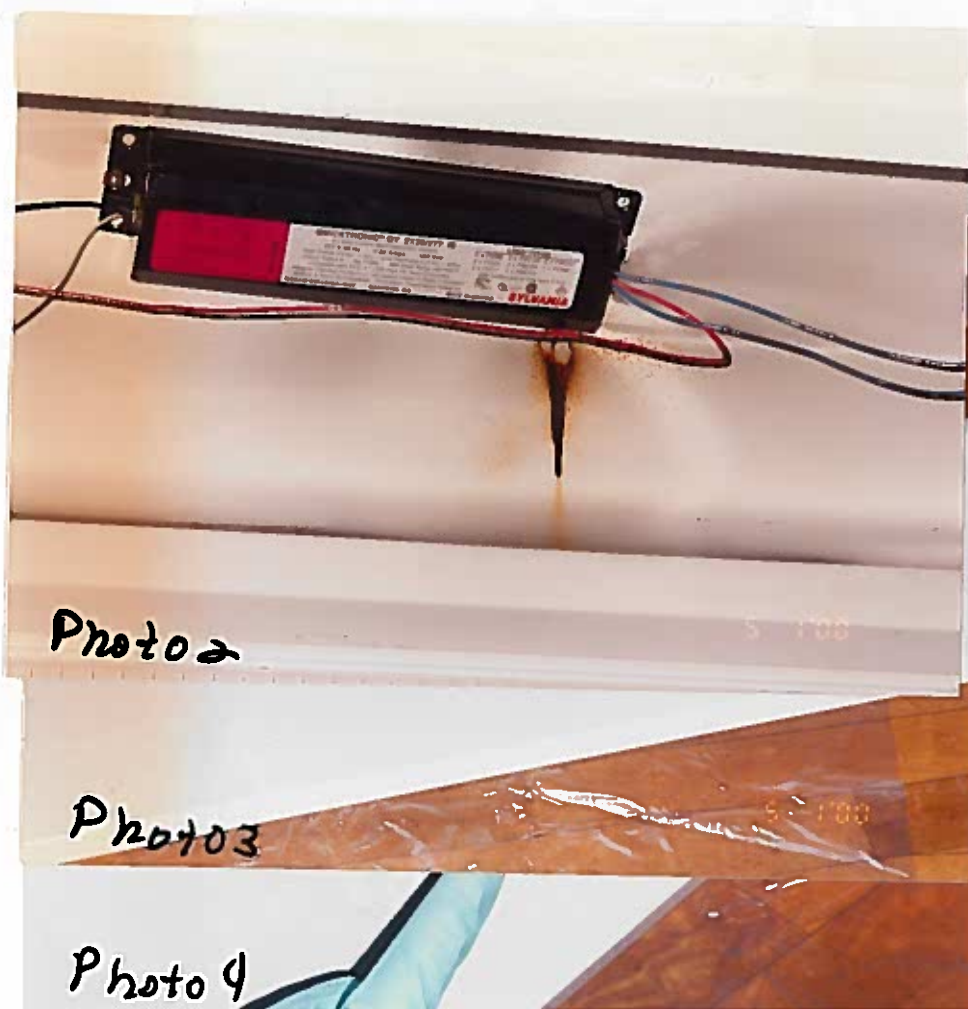
Photograph 1 taken by Eileen Hileman on May 1, 2000, at Shaw Middle School, Spokane, Washington. Photograph 1 shows fixture outside room 151. Sample 00184166 taken at 17:45 p.m.



Photographs 2-4 taken by Eileen Hileman on May 1, 2000, at Shaw Middle School, Spokane, Washington. Photographs 2-4 show Sylvania ballast and the tar like substance on the interior surface of the ballast cover outside room 152. Sample 00184167 taken at 17:55 p.m.

Photograph
Washington
p.m.

ane,
at 17:45



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